



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

OFFICE OF
THE ADMINISTRATOR

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Victoria Arroyo
Associate Administrator
Office of Policy

TO: Michael S. Regan
Administrator

I have consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13989 and President Biden's Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by the criminal conflict of interest statute, 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have been advised by OGC/Ethics that I have a financial interest in the **Georgetown University Law Center** in Washington, DC from which I have been renewed for a second two-year unpaid leave of absence that expires on or about January 20, 2025. I will not participate personally and substantially in any particular matter that, to my knowledge, has a direct and predictable effect on the financial interests of Georgetown University Law Center unless I first obtain a written waiver or my participation is permitted by a regulatory exemption, including the exemption for employees on leave from institutions of higher learning allowing participation in certain matters of general applicability at 5 C.F.R. § 2640.203(b). This latter exemption allows

me to participate in a particular matter of general applicability, such as a rulemaking, so long as it does not have a distinct effect on the institution other than as part of class.

Particular Matters Involving Specific Parties

Because of the current level of financial ownership, I am disqualified from participating personally and substantially in any particular matter that affects any of following entities as a specific party:

RECUSAL LIST – SPECIFIC PARTY MATTERS	
Becton Dickinson	Howmet Aerospace
Boeing	Target
Gilead Sciences	

Particular Matters of General Applicability

I am also disqualified from participating personally and substantially in any particular matter of general applicability that is focused on the interests of any individual discrete and identifiable class of “persons” (identified as “sectors” below). This prohibition extends to each class (or sector) individually. If a matter affects all sectors or if a particular matter affects a combination of sectors, including the ones listed below, then I understand that I do not have a financial conflict of interest.

RECUSAL LIST – INDIVIDUAL SECTORS	
Health Care Equipment, Supplies and Technology	Aerospace and Defense manufacturing
Retailing	Laser technology and manufacturing

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

In addition to my financial conflict of interest, pursuant to the federal impartiality standards at 5 C.F.R. § 2635.502(a), I understand that I also have a “covered relationship” with **Georgetown University Law Center** for the period of my leave of absence and for one year thereafter. Therefore, I may not participate in a particular matter involving specific parties in which any of this entity is a party or represents a party during the time period of my recusal, unless I am authorized to participate by OGC/Ethics pursuant to 5 C.F.R. § 2635.502(d).

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Josh Lewis, Chief of Staff, to assist in screening EPA matters directed to my attention that involve Georgetown University Law Center or any entity from which I am recused. All inquiries and comments involving the entities or issue areas on my recusal list should be directed to the Chief of Staff without my knowledge or involvement.

If the Chief of Staff determines that a particular matter will directly involve any of the entities or issue areas on my recusal list, then he will refer it for action or assignment to another, without my knowledge or involvement. In the event that he is unsure whether an issue is a particular matter from which I am recused, then he will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates and a copy to Justina Fugh, Director, Ethics Office.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Janet McCabe, Deputy Administrator
Dan Utech, Chief of Staff
Adriana Hochberg, Principal Deputy Associate Administrator
Michael Hardy, Deputy Associate Administrator
Navis Bermudez, Deputy Associate Administrator
Josh Lewis, Chief of Staff
Justina Fugh, Director, Ethics Office